

GUIDANCE TO ILLINOIS VOTERS: 2021 ELECTION



February 18, 2021



Office of the Illinois Attorney General

Guidance for Illinois Voters for the 2021 Consolidated Primary Election and 2021 Consolidated Election

The provisions of Illinois' Election Code are subject to change. Many of the statutory provisions that were in place to protect voters from COVID-19 during the 2020 General Election were automatically repealed on January 1, 2021. This document is intended to provide general guidance to Illinois voters based on the current provisions of Illinois law. If you have questions regarding whether particular protections related to voting that were used at the 2020 General Election are still available or in effect, you should contact your local election authority.

Because some voters have reported receiving robocalls that appear to be designed to discourage voting by mail, the Attorney General's office is reminding all Illinois voters to contact their local election authority, the State Board of Elections, or visit those agencies' websites for reliable election information.

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Upcoming Elections

Illinois follows a consolidated election schedule. In odd-numbered years, like 2021, the elections are primarily local and involve selecting the officers of school districts and units of local government, such as municipalities, townships, and special districts. This year, the Consolidated Primary Election will be conducted on Tuesday, February 23, 2021. Not all election jurisdictions will hold a Consolidated Primary Election. Voters should consult with their local election authorities to determine whether there is a Consolidated Primary Election in their jurisdiction. On Tuesday, April 6, 2021, the Consolidated Election will be held for all jurisdictions. (10 ILCS 5/2A-1.1(b)).

Local Election Authorities and the Illinois State Board of Elections: Reliable Sources for Official Election Information

- **Who is my local election authority?** Your local election authority is either the county clerk of the county where you reside or the election commission of the municipality or county where you reside.

For most Illinois voters, the local election authority is the county clerk. However, there are six municipal election commissions and one county election commission in Illinois. The municipal election commissions are located in Bloomington, Chicago, Danville, East St. Louis, Galesburg, and Rockford. The county election commission is located in Peoria County. If you live in one of these six cities or Peoria County, then the county clerk is **not** your local election authority. You have a separate election authority, and you should contact that office for assistance in resolving your election questions.

- **How do I contact my local election authority?** You may find your local election authority's contact information using the Illinois State Board of Election's "Select A Jurisdiction" tool [here](#).
- **How do I contact the State Board of Elections?** You can find contact information for the Illinois State Board of Elections [here](#).

Preparing to Vote

- **How do I confirm that I am registered to vote?** Contact your local election authority or check the Illinois State Board of Elections voter registration look-up [here](#).
- **What if I am not registered to vote?** If you are eligible to vote based on your age, residency, and citizenship, you can contact your local election authority to register or register online [here](#). The online voter registration period closes at 11:59 p.m. on February 7, 2021, for the Consolidated Primary Election. Online registration will reopen on February 25, 2021, for the Consolidated Election and then close on March 21, 2021 (10 ILCS 5/1A-16.5).

Beginning on February 8, 2021 (for the Consolidated Primary Election), and on March 22, 2021 (for the Consolidated Election), people who would like to register to vote should contact their local election authorities for more information. You can find your local election authority's contact information using the Illinois State Board of Election's "Select A Jurisdiction" tool [here](#). The deadline for new voters to register and for previously-registered voters to change their address has been extended until the polls close on Election Day (10 ILCS 5/4-50).

People who apply to register to vote by mail but do not provide adequate proof of identification may be ineligible to vote by mail or in person until proof is received. A driver's license, a state ID card, or a copy of a current utility bill, bank statement, paycheck, or government check can all serve as sufficient proof of identification (10 ILCS 5/4-105).

- **Can I see what my ballot will look like before I go vote?** Many election authorities post sample ballots online. Find your local election authority's website using the "Select A Jurisdiction" tool [here](#).

Mail-In Voting

- **How do I request an application to vote by mail?** Request an application to vote by mail from your local election authority or by downloading the vote-by-mail application [here](#).
- **When is the deadline to submit an application to vote by mail?** If you are temporarily residing outside of the continental United States, are a member of the U.S. military, or are the spouse or voting-age dependent of a member of the military, the last day to apply for an absentee ballot is February 16, 2021 (for the Consolidated Primary Election), and March 29, 2021 (for the Consolidated Election). You can find additional information [here](#). All other mailed applications to vote by mail must be received by the local election authority by February 18, 2021 (for the Consolidated Primary Election), and by April 1, 2021 (for the Consolidated Election). You may submit an application to vote by mail in person to your election authority until February 22, 2021 (for the Consolidated Primary Election), and April 5, 2021 (for the Consolidated Election) (10 ILCS 5/19-2).
- **If I request a ballot to vote by mail, when will my ballot be sent to me?** Upon receipt of an application to vote by mail, the election authority must ascertain whether the applicant is lawfully entitled to vote. If an applicant is entitled to vote, within one business day, the election authority posts the applicant's name and other information on a list posted at the entrance of the election authority's office. Within two business days after posting the name and other information on the list (but no sooner than 40 days before an election), the election authority shall mail (postage prepaid) the official ballot. (10 ILCS 5/19-4).

- **Can I return my mail-in ballot without using the U.S. Postal Service?** Yes. You can deliver your mail-in ballot to your local election authority, or use a secure mail-in ballot drop box if your local election authority has made them available. If you deliver your ballot to a secure mail-in ballot drop box, no postage is required.

Before delivering or mailing your ballot, however, you should make sure that you follow the directions provided for signing the certificate and sealing the certification envelope. To determine whether your election jurisdiction is using mail-in ballot drop boxes and to find where those drop boxes are located, contact your local election authority.

- **When must I return my mail-in ballot?** If you are returning your mail-in ballot using the U.S. Postal Service, it must be postmarked no later than February 23, 2021 (for the Consolidated Primary Election), and no later than April 6, 2021 (for the Consolidated Election) and received by your local election authority by March 9, 2021 (for the Consolidated Primary Election), and by April 20, 2021 (for the Consolidated Election) (10 ILCS 5/19-8). You may deliver your mail-in ballot to your local election authority in person until the close of the polls at 7 p.m. on February 23, 2021 (for the Consolidated Primary Election), and on April 6, 2021 (for the Consolidated Election) (10 ILCS 5/19-8).
- **Can I vote in person, even if I requested a ballot to vote by mail?** Yes. You may vote in person if you bring your mail-in ballot with you to your polling place and give it to the election judges (10 ILCS 5/17-9, 18-5, 19A-35).

If you requested but did not receive a mail-in ballot, then you may vote by signing an affidavit in front of the election judges or election official attesting that you did not receive your mail-in ballot. If you voted and returned your mail-in ballot but your local election authority informed you that it did not receive your ballot, you may also vote by signing an affidavit in front of the election judges or election official specifying that your local election authority informed you that it did not receive your ballot (10 ILCS 5/17-9, 18-5, 19A-35). If you received a mail-in ballot and did not submit it, but you also did not take your mail-in ballot to your polling place to give to the election judges, you will be asked to vote using a provisional ballot (10 ILCS 5/18A-5).

- **What if my mail-in ballot is rejected?** There is a chance that your mail-in ballot could be rejected. If so, your local election authority must notify you of the reason your ballot was rejected so that you have the opportunity to address the issue. Voters have up to 14 days after the election to address any issues so that the election authority can make a determination as to whether the vote will be counted (10 ILCS 5/19-8).
- **If I voted in person before my mail-in ballot arrived, should I mail in a ballot too?** No, you should only vote one ballot. Knowingly voting more than once is a felony under Illinois law (10 ILCS 5/29-5).

In-Person Voting

- **When is early voting in Illinois?** Early voting has already begun in Illinois for the Consolidated Primary Election and lasts until Election Day. Early voting begins for the Consolidated Election on February 25, 2021 (or on March 12, 2021, if a Consolidated Primary Election was held in the election jurisdiction), and lasts until Election Day. Contact your local election authority or look up the hours and locations where you may vote early by using the online tool [here](#).
- **When may I vote on Election Day?** Voters have the right to vote at any time between 6 a.m. and 7 p.m. on Election Day. If a voter is in line when the polls close at 7 p.m., the voter is still entitled to vote and may be granted entry to the polling location (10 ILCS 5/17-1).
- **May I take time away from work or school to vote?** Voters have the right to take unpaid time from work to vote (for no more than two successive hours), if the voter applies for a leave of absence with his or her employer prior to Election Day. The employer may set the time of day when the employee may vote (10 ILCS 5/17-15). Student voters have the right to be absent from school to vote (for no more than two successive hours). The school may specify the hours when the student may vote (10 ILCS 5/17-15).
- **How do I find my polling place?** Contact your local election authority or use the online polling place locator [here](#). Because polling places must sometimes be consolidated or moved as a result of COVID-19 or other issues, it is possible that you will be directed to a new or different polling location. Therefore, you may wish to confirm your polling place's location with your local election authority before traveling to it. You may find your local election authority's contact information using the tool [here](#).

COVID-19 Precautions

- **What health precautions will be in effect at the polling place?** Early voting and Election Day safety and health practices were established in written guidance provided by the Illinois Department of Public Health for the 2020 General Election. You can find a copy of the guidance [here](#). A new guidance has not yet been posted by the Department for the 2021 Consolidated Primary or Consolidated Elections.
- **Do I have to wear a face covering to vote?** If you are medically able to tolerate a face covering, you are encouraged (but not required) to do so. You may be offered a face covering at your polling location if you do not already have one. If you decline to wear a face covering, you can still vote. However, you may be sent to an area in the polling location that is separated from voters who are wearing face coverings to wait until it is your turn to vote.
- **Is curbside voting available?** Disabled or elderly voters may vote curbside if they have received prior approval to vote outside the polling place due to the structural features

of the building. A curbside voting program must be conducted by two election judges (one from each party) no more than 50 feet away from the entrance to the polling place (10 ILCS 5/17-13).

- **Where do voters who live in a nursing home or long-term care facility vote?** Normally, nursing home and long-term care facility administrators make arrangements for on-premises voting for their residents. However, the Illinois Department of Public Health has limited visitor access to nursing homes and other long-term care facilities to protect residents from COVID-19. Local election authorities and nursing home and long-term care facility administrators should coordinate to make alternate voting arrangements for residents of those facilities. Contact your local election authority to confirm the voting alternative agreed to for your specific nursing home or long-term care facility by using the tool found [here](#).
- **I planned to vote in person, but I am required to quarantine until after Election Day. How should I vote?** If you are required to quarantine or isolate at home and there is still time to request a mail-in ballot, you should obtain a mail-in ballot, and follow the instructions for voting in that manner. If it is too late to obtain a mail-in ballot, you should contact your local election authority and ask whether there is a curbside voting option or a way for you to safely vote at an appropriate polling place. If you are required to isolate in a hospital, on and after February 9, 2021 (for the Consolidated Primary Election), and March 23, 2021 (for the Consolidated Election), hospitalized voters may apply to their election authority for personal delivery of a vote-by-mail ballot (10 ILCS 5/19-13).

Other Voter Questions

- **What if I need assistance with my ballot?** If you cannot read, have trouble understanding English, or have a disability, you have the right to request voting assistance from two of the election judges. You may also choose anyone other than your employer, an agent of your employer, or an officer or agent of your union to assist you (10 ILCS 5/17-14). To receive assistance, you must sign an affidavit attesting to your need for assistance, **or** present an Illinois Person with a Disability Identification Card. Any person chosen by the voter to provide assistance must sign an oath swearing not to influence the voter's choice while providing assistance.
- **What if I make a mistake on my ballot?** If you make a mistake or "spoil" a paper ballot, and you have not cast the ballot (inserted the ballot into the tabulator), you have the right to receive a replacement ballot (10 ILCS 5/17-11).
- **What is a provisional ballot?** A provisional ballot allows a voter whose eligibility has been questioned to vote on Election Day. Provisional ballots are kept in a separate, securable container until a voter's eligibility to vote is determined by the election authority AFTER Election Day.

- **I voted using a provisional ballot. Is there a way to find out if it was counted?** If you voted using a provisional ballot, you should receive instructions about the steps you need to take to ensure your ballot is counted, how to determine if your ballot was counted, and if not, the reason why it was not counted. Some local election authorities have an online system for voters to check. Those links can be found [here](#).
- **When are ballots counted?** No ballots should be counted until after 7 p.m. on Election Day after the polls close.
- **Who is authorized to be in the polling place?** Only authorized individuals are allowed in the polling place. The authorized individuals include election judges, voters while voting, minor children accompanying their parents or guardians while voting, representatives of the election authority, representatives of the State Board of Elections, representatives of the offices of the state's attorney and Illinois Attorney General, law enforcement officers acting in their official capacities, and authorized poll watchers (10 ILCS 5/17-8, 17-23, 18-6). To be in the polling place on Election Day, persons other than voters must be authorized and have credentials.

If you believe an unauthorized person is in the polling place, notify the election judges.

- **What are poll watchers?** Poll watchers are people who are permitted to observe proceedings in the polling place and are appointed to represent candidates, political parties, organized proponents and opponents of a ballot proposition, and state nonpartisan civic organizations. Poll watchers must be registered to vote in Illinois and must have valid poll watcher credentials for each precinct that they enter. Candidates and precinct committeepersons (with proper poll watcher credentials) can be poll watchers in the polling place.
- **What is illegal electioneering, and where is it prohibited?** No one is allowed to try to influence a voter within 100 feet of the polling place (10 ILCS 5/17-29). Illegal electioneering occurs when, within 100 feet of the entrance to the polling room, any person attempts to influence voters or displays political signs, clothing, literature, or buttons. If done properly, exit polling is not electioneering.
- **What should I do if I receive a robocall or electronic communication with inaccurate information about the election?** Robocalls and other electronic communications disseminating inaccurate information about the election may be illegal. Any person who, by force, intimidation, threat, deception, or forgery, knowingly prevents any other person from (a) registering to vote, or (b) lawfully voting is guilty of a Class 4 felony (10 ILCS 5/29-4). An individual who receives a robocall, email, social media message, or other communication that includes inaccurate information should report it to the Office of the Attorney General at 1-800-386-5438 or the Illinois State Board of Elections at 1-217-782-4141 or 312-814-6465.